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BUSINESS AND PROFESSIONS CODE - BPC

DIVISION 10. Cannabis [26000 - 26325] (*Heading of Division 10 amended by Stats. 2017, Ch. 27, Sec. 3.)*

CHAPTER 18. License Fees [26180 - 26181] (*Chapter 18 added November 8, 2016, by initiative Proposition 64, Sec. 6.1.)*

26180. The department shall establish a scale of application, licensing, and renewal fees, based upon the cost of enforcing this division, as follows:

(a) The department shall charge each licensee a licensure and renewal fee, as applicable. The licensure and renewal fee shall be calculated to cover the costs of administering this division. The licensure fee may vary depending upon the varying costs associated with administering the various regulatory requirements of this division as they relate to the nature and scope of the different licensure activities, including, but not limited to, the track and trace program required pursuant to Section 26067, but shall not exceed the reasonable regulatory costs to the department.

(b) The total fees assessed pursuant to this division shall be set at an amount that will fairly and proportionately generate sufficient total revenue to fully cover the total costs of administering this division.

(c) All license fees shall be set on a scaled basis by the department, dependent on the size of the business.

(d) The department shall deposit all fees collected in a fee account to be established in the Cannabis Control Fund. Moneys in the fee account shall be used, upon appropriation by the Legislature, by the department for the administration of this division.

(Amended by Stats. 2021, Ch. 70, Sec. 81. (AB 141) Effective July 12, 2021. Note: This section was added on Nov. 8, 2016, by initiative Prop. 64.)

26180.5. No later than January 1, 2018, the Secretary of Business, Consumer Services, and Housing or his or her designee shall initiate work with the Legislature, the Department of Consumer Affairs, the Department of Food and Agriculture, the State Department of Public Health, and any other related departments to ensure that there is a safe and viable way to collect cash payments for taxes and fees related to the regulation of cannabis activity throughout the state.

(Added by Stats. 2017, Ch. 27, Sec. 97. (SB 94) Effective June 27, 2017.)

26181. The State Water Resources Control Board, the Department of Fish and Wildlife, and other agencies may establish fees to cover the costs of their cannabis programs.

(Amended by Stats. 2017, Ch. 27, Sec. 98. (SB 94) Effective June 27, 2017. Note: This section was added on Nov. 8, 2016, by initiative Prop. 64.)